

LOURDES A. LEON GUERRERO  
GOVERNOR



JOSHUA F. TENORIO  
LT. GOVERNOR

UFISINAN I MAGA'HĀGAN GUĀHAN  
OFFICE OF THE GOVERNOR OF GUAM

**Via Hand Delivery**  
**and E-mail: [speaker@guamlegislature.org](mailto:speaker@guamlegislature.org)**

August 8, 2022

**HONORABLE THERESE M. TERLAJE**  
*Speaker*  
*I Mina'trentai Sais Na Liheslaturan Guåhan*  
*36<sup>th</sup> Guam Legislature*  
Guam Congress Building  
163 Chalan Santo Papa  
Hagåtña, Guam 96910

**RE: EXECUTIVE ORDER NO. 2022-21**

*Hafa Adai* Madame Speaker:

Pursuant to Public Law 34-16, transmitted herewith is the following Executive Order:

**EXECUTIVE ORDER NO. 2022-21: RELATIVE TO IMPLEMENTING MASK WEARING REQUIREMENTS AND PHYSICAL DISTANCING IN HEALTHCARE SETTINGS**

Thank you.

*Senseremente,*

A handwritten signature in blue ink, appearing to read "Leslie A. Travis".

**LESLIE A. TRAVIS**  
*Legal Counsel*

Enclosure: Executive Order No. 2022-21

cc via email: *Maga'hāgan Guåhan*  
*Sigundo Maga'lāhen Guåhan*  
Hon. F. Philip Carbullido, Chief Justice of Guam  
Compiler of Law  
Central Files  
Cabinet Members



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**EXECUTIVE ORDER NO. 2022- 21**

**RELATIVE TO IMPLEMENTING MASK WEARING REQUIREMENTS  
AND PHYSICAL DISTANCING IN HEALTHCARE SETTINGS**

**WHEREAS**, on March 14, 2020, I, Lourdes A. Leon Guerrero, *I Maga'hågan Guåhan*, Governor of Guam, acting pursuant to the power provided by the Organic Act of Guam and the laws of Guam, declared a public health emergency on the island of Guam due to dangers posed by the 2019 novel coronavirus ("COVID-19"); and

**WHEREAS**, throughout the course of the pandemic on our island, we have implemented community-level restrictions for the purpose of mitigating the spread of infection, which fluctuated based on measurable COVID-19 metrics, including our daily new cases, test positivity rate, retransmission rate, and vaccination rate; and

**WHEREAS**, the ultimate goal of community-level restrictions was to manage hospitalizations and ensure the continued viability of our healthcare delivery system; and

**WHEREAS**, on February 25, 2022, the U.S. Centers for Disease Control and Prevention ("CDC") announced new metrics to monitor the transmission of COVID-19, using indicators that also focus on reducing medically significant illness and minimizing strain on the healthcare system; and

**WHEREAS**, the CDC Community Level metrics are intended to inform community actions and local decisions, including implementation and easing of restrictions, individual preventive behavior, testing strategies, and vaccine outreach; and

**WHEREAS**, the CDC Community Level metrics track the following items: the cumulative 7-day new COVID-19 cases per 100,000; the 7-day new hospital admissions per 100,000; and the percent of staffed inpatient beds occupied by COVID-19 patients. These metrics would, in turn, determine a jurisdiction's Community Level rank as low, medium, or high, with corresponding prevention recommendations for each category; and

**WHEREAS**, apart from Community Level recommendations that inform community restrictions, the CDC recommends that healthcare settings, such as hospitals and nursing homes, should continue to follow infection prevention and control recommendations; and

**WHEREAS**, the CDC's recommended practices in healthcare settings include infection prevention and control practices, such as encouraging vaccinations and boosters, posting visual alerts, establishing screening protocols, and implementing source control measures, such as the use of masks; and

**WHEREAS**, on May 2, 2022, in Executive Order No. 2022-13, based on Guam's Community Level of low according to CDC Community Level metrics, with the concurrence of the Department of Public Health and Social Services ("DPHSS"), and on the advice of the Guam National Guard Surgeon Cell and Physician's Advisor Group, I rescinded previous executive orders implementing mask-wearing requirements in public



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settings, subject to applicable DPHSS guidance. I further noted that businesses may continue to require the wearing of masks in their facilities subject to local and federal law, and encouraged our people to continue wearing masks if they are immunocompromised, at high risk for severe illness, or if they prefer to do so; and

**WHEREAS**, since the rescission of local mask-wearing requirements, global cases of COVID-19 have surged once again, due to the emergence of the highly infectious Omicron BA.5 variant (“BA.5”); and

**WHEREAS**, though recent samples from Guam are pending genome sequencing at off-island laboratories, BA.5 cases have not been confirmed on our island; and

**WHEREAS**, notwithstanding the fact that BA.5 cases have not been confirmed in Guam, our island has experienced a surge in cases and a corresponding rise in hospitalizations for COVID-19; and

**WHEREAS**, as of the time of this writing, our COVID-19 Community Level is high, based on our 7-day new COVID-19 cases per 100,000, which is calculated at 466.1; the 7-day new hospital admissions per 100,000, currently at 23; and the percent of staffed inpatient beds occupied by COVID-19 patients, calculated at 8%; and

**WHEREAS**, twenty-nine (29) individuals are presently hospitalized for COVID-19, including two (2) in the intensive care unit; and

**WHEREAS**, in an effort to stabilize our healthcare system and ensure the continued delivery of care to our people, I strongly urge our community to wear their masks when they are indoors, whether at work, at restaurants, or at the grocery store. Mask-wearing is our new normal. It plays a key role in our community’s strategy for living with COVID-19, and is one of the critical ways in which individuals can do their part to prevent the spread of infection; and

**WHEREAS**, further, with the strong concurrence of DPHSS, the Physicians Advisory Group, and the Guam National Guard Surgeon Cell, it is necessary at this time to implement CDC recommendations of mask-wearing and physical distancing in healthcare settings, to protect our healthcare employees, and the vulnerable members of our community who are in these settings seeking medical care; and

**WHEREAS**, as we enjoy our time with family and friends, and engage in activities with others in public places, it is important that we remember the responsibility we all have to one another, to keep each other safe. Mask-wearing is a simple yet impactful way to protect and support one another during this pandemic. It is my hope that all of us remain mindful of those we have lost to COVID-19 and those currently struggling with it, and the actions we can take to prevent or minimize the spread of this disease within our community.

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**NOW THEREFORE, I, LOURDES A. LEON GUERRERO, *I Maga'hågan Guåhan*,** Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam as amended, do hereby order:

- 1. IMPLEMENTING MASK WEARING REQUIREMENTS AND PHYSICAL DISTANCING IN HEALTHCARE SETTINGS.** Effective at 12:00 a.m. on August 9, 2022, healthcare settings shall require the use of face masks for everyone entering healthcare facilities, including healthcare providers, patients, and visitors. Additionally, physical distancing shall be required in healthcare settings where it will not interfere with the provision of care. This Section is subject to applicable DPHSS guidance memoranda.
- 2. SEVERABILITY.** If any provision of this Executive Order or its application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this Order that can be given effect without the invalid provision or application, and to this end, the provisions of this order are severable.
- 3. PRIOR ORDERS REMAIN IN EFFECT.** All prior Executive Orders remain in full force and effect except to the extent they conflict with this Order.

**SIGNED AND PROMULGATED** at Hagåtña, Guam, this 8<sup>th</sup> day of **August, 2022.**

**LOURDES A. LEON GUERRERO**  
*Maga'hågan Guåhan*  
Governor of Guam

**Attested by:**

**JOSHUA F. TENORIO**  
*Sigundo Maga'låhen Guåhan*  
Lt. Governor of Guam

